

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Continue
Implementation and Administration of California
Renewables Portfolio Standard Program.

Rulemaking 08-08-009
(Filed August 21, 2008)

**MOUNTAIN UTILITIES' (U 906-E)
AMENDED
RENEWABLE PORTFOLIO STANDARD COMPLIANCE REPORT
AND REQUEST FOR WAIVER**

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April 27, 2009

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AND REQUEST FOR WAIVER**

I. INTRODUCTION

Mountain Utilities (MU) hereby submits to the Energy Division (ED) of the California Public Utilities Commission a revised March 2009 Semi-Annual Compliance Report (RPS Report) pursuant to a letter request by Julie A. Fitch, Director, ED, dated April 10, 2009 and addressed to John Dutcher, V.P. – Regulatory Affairs, MU.

II. COMPLIANCE FILING REVISED

The revised spreadsheet corrects typographical errors, shows corrected bundled retail sales and hidden columns in the public version of the spreadsheet are now viewable. Updated information on MU's biodiesel renewable efforts has been included.

MU also has included a request for waiver and deferral of any penalties based upon this RPS Report. MU has no connection to any transmission grid, including the California transmission grid managed by the California Independent System Operator (CAISO). In addition, MU's service territory, in the High Sierra near Lake Tahoe, is subject to severe inclement weather suitable to extraordinary recreational activity, but hospitable to very few reliable means of generation. With only 700 customers as a base for MU's generation, MU uses five diesel generators with a combined total generation capacity of approximately 5 MW to serve snowmaking, ski lift and other customer requirements that peak in the winter.

MU has presented in this Rulemaking and prior proceedings its intent to investigate two means of satisfying its RPS obligations.

One approach would be the use of diesel fuel containing biodiesel, typically a 20% component. MU has pursued this alternative by obtaining a pre-certification from the California Energy Commission and is in the process of obtaining WREGIS membership. As MU has investigated this alternative, certain operational difficulties have become apparent that require resolution before this method can be implemented.

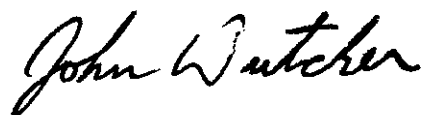
The other alternative would be to purchase Tradable Renewable Energy Credits (TRECs). A proposed decision to implement TREC use has been issued in Rulemaking 06-02-012 and parties have submitted comments and reply comments. However, at this time, a final decision has not been adopted by the CPUC. Absent some assurance of the level of TRECs that MU may use or the price that could be paid, MU sees little opportunity to satisfy requirements from this source in a timely manner.

III. CONCLUSION

As indicated above, MU is intent upon satisfying its Renewables obligations, but the circumstances attendant upon this effort have made current and even near-term compliance problematic. Therefore, MU believes that any apparent penalty is inappropriate to its circumstances and requests a deferral and waiver of any such penalties.

Dated: April 27, 2009

Respectfully submitted

A handwritten signature in black ink that reads "John Dutcher". The signature is written in a cursive, flowing style.

John Dutcher – V.P. Regulatory Affairs
Mountain Utilities
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(Filed August 21, 2008)

Mountain Utilities

**MARCH 2009 SEMI-ANNUAL COMPLIANCE REPORT
PURSUANT TO THE CALIFORNIA RENEWABLES
PORTFOLIO STANDARD**

3-Mar-09

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CALIFORNIA'S RENEWABLES PORTFOLIO STANDARD

Reporting and Compliance Worksheet Instructions

1. California's RPS Program requires Investor Owned Utilities (IOU), Multi-Jurisdictional Utilities (MJU), Electric Service Providers (ESP), and Community Choice Aggregators (CCAs) to file a minimum of two reports each year illustrating performance within the program. Parties may refer to the November 20, 2008 Assigned Commissioner Ruling Addressing Process Issues Relative to RPS Compliance Reports for more information.
 - > The March 1 report (with updates after the California Energy Commission (CEC) verifies procurement, as needed) is used by the Commission to determine compliance for the prior year(s). This report states historic performance in the RPS program, current year targets and procurement data, and forecasts targets and procurement data for at least three years (Decision (D.) 06-10-050, page 45, 49).
 - > The August 1 report states historic performance in the RPS program, current year targets and procurement data, and forecasts targets and procurement levels for each year forward through 2020 (D.06-10-050, page 45, 51). The August report may be used by the Commission to make a final determination of compliance for the prior year(s).
2. Any load serving entity (LSE) seeking confidentiality protection should file a declaration. Confidentiality requests shall comply with the substantive and procedural rules set forth in D.06-06-066, as modified by D.08-04-023, the Commission's decision in its Confidentiality proceeding, Rulemaking (R.) 05-06-040, and any subsequent decisions issued in the same or successor proceeding. A declaration for confidentiality should include the identification of all redacted information by tab name and cell reference, not to be confused with the line numbers provided in the Accounting tab.
3. RPS compliance reports will be submitted to the Commission as specified below:
 - > Serve a public version on the service list in proceeding R.08-08-009. All pages must be legible. LSEs are responsible for maintaining confidentiality when serving a redacted report.
 - > File a confidential version with the Energy Division by e-mailing an electronic version to ab1@cpuc.ca.gov and svn@cpuc.ca.gov
 - > Send paper copies (confidential and public) to each of the assigned Administrative Law Judges (ALJs):

Burton W. Mattson and Anne E. Simon
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
4. Any questions regarding the completion and/or filing of this report can be directed to:
Amy Baker, Energy Division, California Public Utilities Commission: ab1@cpuc.ca.gov, (415) 703-1691
5. Include the Title Page and fill out the following information:
 - > Name of the LSE filing the Report
 - > Date the Report is being filed
 - > Contact information
6. Complete the Officer Verification Form in the format provided (Rule 1.11)
7. Yellow cells throughout the spreadsheet indicate user supplied data by the LSE where and when applicable.
8. All data must be entered in MWh out to three decimal points to accurately account for retail sales, procurement and targets. The spreadsheet will display MWh throughout. Do not round any reporting data, as this may trigger some cells to turn red.
9. The spreadsheet included in this report has locked cells to ensure that targets, procurement and penalties are accurately calculated and reported from the data provided by the user. An unprotected version of the spreadsheet is also available by request.
10. Line #'s in the "Accounting" tab hyperlink to the "Calculations" tab, which provides additional information on the particular line item or section of the "Accounting" tab.

SUMMARY TAB

11. The "Summary" tab is linked to the "Accounting" tab and "Procurement Detail" tab, no data entry is required.
12. If the LSE determines that additional information is required in order to present a full and complete report, mark the box provided on the "Summary" tab. Any additional information should support the LSE's claim within the guidelines of the eight allowable reasons for noncompliance. Furthermore, please state anything else the filing LSE believes is necessary for a full and complete reporting to the Commission in order to allow an informed decision on compliance. This may include, for example, footnotes and other explanatory information as necessary and reasonable.

ACCOUNTING TAB

13. Begin by entering the relevant data for Lines 1-3, this will calculate the LSE's Baseline Procurement Amount. Enter actual and forecasted sales figures to generate Incremental Procurement Targets (IPTs) and Annual Procurement Targets (APTs).
14. In deficit years, the spreadsheet calculates what portion of the deficit is eligible for IPT deferral and earmarking. The user records how they elect to treat the deficit(s) in the relevant sections, including using surplus procurement. The spreadsheet calculates the allowable IPT deferral and Earmarking amount through 2020.

EARMARKING DETAIL TAB

15. Enter information for contracts that are eligible for earmarking and are being used for flexible compliance purposes. Data populates the earmarking section in the "Accounting" tab. LSEs should include power purchase agreements used for earmarking with their compliance filings, so Energy Division may verify eligibility.

PROCUREMENT DETAIL TAB

16. Procurement Summary: Total RPS Eligible Procurement is differentiated by three categories, *existing and or signed contracts*, *short-listed/under negotiation/pending approval*, and *generic future contracts*. This section is populated by completing the Contract Detail section below. If the LSE has entered into contracts that are short-term or with existing facilities but cannot meet its Annual Minimum Contracting Requirement, then deliveries from those contracts may not be used for compliance in any year (D.07-05-028).
- > Annual Contracting Quota Requirement: LSEs must enter into long-term contracts or contracts with new facilities for energy deliveries equivalent to at least 0.25% of that LSE's prior years' retail sales, if it intends to use deliveries from short-term contracts and/or existing facilities, for RPS compliance purposes. LSEs must submit supporting documentation proving that the requirement has been met (i.e. a power purchase agreement for a long-term and/or new contract).
- Contracts are differentiated by Contract term-length and type (row 15:16). All deliveries from "long-term and/or new" are automatically entered into "Cumulative Surplus Contracting Quota Bank" (row 19) and the user must input the MWh in row 18 that the LSE needs to comply with the Annual Contracting Quota Requirement, if necessary.
17. RPS Eligible Procurement by Resource Type: This report must state the amount procured or projected to be procured from each resource type (D.05-07-039, Appendix A, D.06-10-050, page 47-48). This information is reported in rows 25-38 in the "Procurement Detail" tab and populated by completing the "Contract Detail" section.
18. Contract Detail: For each contract, enter actual and forecasted delivery data throughout the contract term. Do not assume that an expiring contract will be renegotiated.
- > Pre-2002 Contracts: Input total annual deliveries by resource type
 - > 2002-Present years' Contracts: List contracts by name, annual deliveries (MWh), project status, facility status and resource type.
 - > 2005-Present years' Contracts: In addition to the requirements above, contracts from these years should be identified by term-length, short-term (less than 10 years) and long-term, as well as, by type, existing or new (defined below). For 2005 and 2006 contracts that were signed prior to 2007 can be identified as "n/a" for this purpose (refer to Column "X").
 - "Contract Length / Type" (Column "X") Pursuant to D.07-05-028, starting in 2007, each RPS-obligated LSE must, in order to be able to count for any RPS compliance purpose energy deliveries from contracts of less than 10 years' duration ("short-term") with RPS-eligible facilities that commenced commercial operation prior to January 1, 2005 ("existing facilities"), in each calendar year enter into contracts with facilities of at least 10 years' duration ("long-term") and/or short-term contracts with facilities that commenced commercial operation on or after January 1, 2005 ("new facilities") for energy deliveries equivalent to at least 0.25% of that LSE's prior year's retail sales ("minimum quantity").
 - "Contract Volume" (Column "Y") Input the total annual MWh as identified in the contract. Compliance with the minimum quota requirement is measured by contracted-for-energy, not deliveries.
 - > "Generic Future Contracts": Input total forecasted annual deliveries by resource type
 - > "Expired Contracts": Any contract expiring prior to 2020 should be listed in this section. User should identify expired contract by name and input annual deliveries (MWh) in the first year the contract is no longer delivering for the LSE (per existing contract) and in every year thereafter. For example, if a contract with annual deliveries of 10,000 MWh expired 12/31/2007, user should enter 10,000 MWh in 2008 and in every year thereafter. If this same contract expired 6/30/2007, user should enter 5,000 MWh in 2007 and 10,000 in every year thereafter. If an expired or expiring contract is re-signed, remove contract information from "Expired Contracts" section and enter it under the appropriate contracting year, as you would for any other contract.
19. In the "Contract Status" column, "short-listed and/or under negotiation" is an option; use the short-listed option only for projects for which the IOU has a high level of confidence that a contract will be executed.
20. If any procurement data for a specific contract differs from what is entered into the CEC-RPS-Track form for that year, the specific cell should be highlighted and the discrepancy should be explained.

Spreadsheet user notes

- > Protecting confidential data: Individual cells may be formatted black, which will serve to redact info when excel file is converted to pdf. Select cell - click on "fill color" icon - choose black. Note: Once converted to pdf, additional steps are necessary to ensure redacted data is not accessible.
- > Adding and/or deleting rows. The "Earmarking Detail" tab and "Procurement Detail" tab allow user add to or delete rows. Within the desired section, highlight entire row(s) by selecting the excel row number(s) - right click and select "copy" - right click again and select "insert copied cells"

RPS Compliance Report: Summary

Mountain Utilities	2007
3-Mar-09	

RPS Summary Report	MWh	%
Prior Year Total Retail Sales	7,140	
Annual Procurement Target (APT)	293	4.1%
Total RPS Eligible Procurement	0	0.0%
Annual Procurement Surplus/(Deficit)	(293)	
Adjusted Procurement Percentage*		4.1%

* 'Adjusted Procurement Percentage' includes flexible compliance as proposed by the LSE, it is not necessarily used to determine compliance.

RPS Eligible Procurement	MWh	%
Biomass	0	0.0%
Digester Gas	0	0.0%
Biodiesel	0	0.0%
Landfill Gas	0	0.0%
Muni Solid Waste	0	0.0%
<i>Biopower Subtotal</i>	0	0.0%
Geothermal	0	0.0%
Small Hydro	0	0.0%
Conduit Hydro	0	0.0%
Solar PV	0	0.0%
Solar Thermal	0	0.0%
Wind	0	0.0%
Ocean/Tidal	0	0.0%
Fuel Cells	0	0.0%
Total RPS Eligible Procurement	0	0.0%

Flexible Compliance	MWh
IPT Deferral	293
Earmarking	0
Banked Procurement Applied	0
Total Flexible Compliance	293

Deficits and Penalties	2007
Preliminary Procurement (Deficit)	(293)
Adjusted Annual Procurement Deficit	(293)
Adjusted Deficit Deferred	293
Potential Penalty	\$14,641
Current Penalty (with flexible compliance)	\$4

** Potential Penalty is calculated based on 'Adjusted Annual Procurement Deficit' and may be deferred or waived if LSE provides allowable reasons and/or uses flexible compliance.

☐ Check box (x) if LSE is including supplemental materials necessary for a full and complete report (include attachments as needed).

- Any supplemental materials should state each reason asserted in support of deferral or waiver of penalty, consistent with allowable reasons for non-compliance listed below. (D.03-12-065, D.03-06-071, D.06-05-010 and Public Utilities Code Section 399.14(a)(2)(C)(ii).)

[Insufficient response to RFO, Contracts already executed will provide future deliveries sufficient to satisfy current year deficits, Inadequate public goods funds to cover above-market costs, Seller non-performance, Lack of effective competition, Deferral promotes ratepayer interests and RPS objectives, Showing of good cause, Insufficient transmission]

- If stating earmarked contracts as a reason for a temporary deferral, make sure contract names and planned energy deliveries match what is listed in Earmarking Detail and Procurement Detail tabs.

RPS Compliance Report: Summary

Mountain Utilities	2008
3-Mar-09	

RPS Summary Report	MWh	%
Prior Year Total Retail Sales	7,708	
Annual Procurement Target (APT)	370	4.8%
Total RPS Eligible Procurement	0	0.0%
Annual Procurement Surplus/(Deficit)	(370)	
Adjusted Procurement Percentage*		0.0%

* 'Adjusted Procurement Percentage' includes flexible compliance as proposed by the LSE, it is not necessarily used to determine compliance.

RPS Eligible Procurement	MWh	%
Biomass	0	0.0%
Digester Gas	0	0.0%
Biodiesel	0	0.0%
Landfill Gas	0	0.0%
Muni Solid Waste	0	0.0%
<i>Biopower Subtotal</i>	0	0.0%
Geothermal	0	0.0%
Small Hydro	0	0.0%
Conduit Hydro	0	0.0%
Solar PV	0	0.0%
Solar Thermal	0	0.0%
Wind	0	0.0%
Ocean/Tidal	0	0.0%
Fuel Cells	0	0.0%
Total RPS Eligible Procurement	0	0.0%

Flexible Compliance	MWh
IPT Deferral	0
Earmarking	0
Banked Procurement Applied	0
Total Flexible Compliance	0

Deficits and Penalties	2007
Preliminary Procurement (Deficit)	(370)
Adjusted Annual Procurement Deficit	(370)
Adjusted Deficit Deferred	0
Potential Penalty	\$18,495
Current Penalty (with flexible compliance)	\$18,495

** Potential Penalty is calculated based on 'Adjusted Annual Procurement Deficit' and may be deferred or waived if LSE provides allowable reasons and/or uses flexible compliance.

☒ Check box (x) if LSE is including supplemental materials necessary for a full and complete report (include attachments as needed).

- Any supplemental materials should state each reason asserted in support of deferral or waiver of penalty, consistent with allowable reasons for non-compliance listed below. (D.03-12-065, D.03-06-071, D.06-05-010 and Public Utilities Code Section 399.14(a))

[Insufficient response to RFO, Contracts already executed will provide future deliveries sufficient to satisfy current year deficits, Inadequate public goods funds to cover above-market costs, Seller non-performance, Lack of effective competition, Deferr

- If stating earmarked contracts as a reason for a temporary deferral, make sure contract names and planned energy deliveries match what is listed in Earmarking Detail and Procurement Detail tabs.

RPS Compliance Report: Accounting

Mountain Utilities
3-Mar-09

Line#	RPS Baseline Calculation	(MWh)
1	2001 Total California Retail Sales	7
2	2001 RPS Eligible Procurement	0
3	2003 Total Retail Sales	7
4	2003 Baseline Procurement Amount	0

	Input Required
	Forecasted Data
	Actual Data

	Actual						Forecast		
	2003	2004	2005	2006	2007	2008	2009	2010	2011
RPS Procurement and Targets (MWh)									
5 Bundled Retail Sales	8,387	6,967	6,781	7,140	7,708	6,253	7,833	7,944	7,996
6 Total RPS Eligible Procurement	0	0	0	0	0	0	0	1,589	1,599
7 Annual Procurement Target (APT)	0	N/A	N/A	N/A	293	370	432	1,567	1,589
8 Incremental Procurement Target (IPT)	N/A	84	70	68	71	77	63	1,134	22
9 Preliminary Procurement Surplus/(Deficit)	N/A	N/A	N/A	N/A	(293)	(370)	(432)	22	10
10 APT Percentage	N/A	N/A	N/A	N/A	4.1%	4.8%	6.9%	20.0%	20.0%
11 Actual Procurement Percentage	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	20.3%	20.1%
12 Adjusted Procurement Percentage*	N/A	N/A	N/A	N/A	4.1%	0.0%	0.0%	20.3%	20.1%

	Actual						Forecast		
	2003	2004	2005	2006	2007	2008	2009	2010	2011
Flexible Compliance - IPT Deferral									
13 Maximum Deficit Eligible for Deferral	N/A	N/A	N/A	N/A	293	19	16	0	0
14 Deficit being Carried Forward to Year + 1	N/A	N/A	N/A	N/A	0	0	0,000	0	0
15 Deficit being Carried Forward to Year + 2	N/A	N/A	N/A	N/A	0	0,000	0	0	0
16 Deficit being Carried Forward to Year + 3	N/A	N/A	N/A	N/A	293	0	0	0	0
17 Total Current Year Deficit (≤ 25% IPT) Carried Forward	N/A	N/A	N/A	N/A	293	0	0	0	0
18 Remaining Deficit from Year - 1 to Be Filled in Current Year	N/A	N/A	N/A	N/A	N/A	0	0	0	0
19 Remaining Deficit from Year - 2 to Be Filled in Current Year	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
20 Remaining Deficit from Year - 3 to Be Filled in Current Year	N/A	N/A	N/A	N/A	N/A	N/A	(293)	0	0
21 Total Prior Year IPT Deficits That Must Be Filled This Year	N/A	N/A	N/A	N/A	0	0	0	(293)	0
22 Current Year Surplus Procurement Applied to Year - 1 Deficit	N/A	N/A	N/A	N/A	N/A	0	0	0	0
23 Current Year Surplus Procurement Applied to Year - 2 Deficit	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
24 Current Year Surplus Procurement Applied to Year - 3 Deficit	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0
25 Total Deliveries Applied to Prior Year IPT Deficits	N/A	N/A	N/A	N/A	N/A	0	0	0	0

	Actual						Forecast		
	2003	2004	2005	2006	2007	2008	2009	2010	2011
Flexible Compliance - Earmarking									
26 Portion of Current Year Deficit Eligible for Earmarking	N/A	N/A	N/A	N/A	275	351	417	0	0
27 Future Deliveries Earmarked from Year - 1	N/A	N/A	N/A	N/A	0	0	0	0	0
28 Future Deliveries Earmarked from Year + 2	N/A	N/A	N/A	N/A	0	0	0	0	0
29 Future Deliveries Earmarked from Year + 3	N/A	N/A	N/A	N/A	0	0	0	0	0
30 Total Projected Procurement Earmarked to Current Year	N/A	N/A	N/A	N/A	0	0	0	0	0
31 Current Year Deliveries Earmarked to Year - 1	N/A	N/A	N/A	N/A	N/A	0	0	0	0
32 Current Year Deliveries Earmarked to Year - 2	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
33 Current Year Deliveries Earmarked to Year - 3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0
34 Total Deliveries Earmarked to Prior Year Earmarked Deficits	N/A	N/A	N/A	N/A	N/A	0	0	0	0

	Actual						Forecast		
	2003	2004	2005	2006	2007	2008	2009	2010	2011
Surplus Procurement Bank									
35 Surplus Procurement Bank Balance as of Prior Year	0	0	0	0	0	0	0	0	22
36 Application of Banked Surplus Procurement to Current Year Deficit	0	0	0	0	0	0	0	0	0
37 Adjusted Current Year Annual Surplus Procurement	0	0	0	0	0	0	0	22	10
38 Cumulative Surplus Procurement Bank Balance	0	0	0	0	0	0	0	22	33

	Actual						Forecast		
	2003	2004	2005	2006	2007	2008	2009	2010	2011
Adjusted Deficit									
39 Adjusted Annual Procurement Deficit	N/A	N/A	N/A	N/A	(293)	(370)	(432)	0	0
40 Adjusted Deficit Deferred	N/A	N/A	N/A	N/A	293	0	0	0	0
41 Potential Penalty	N/A	N/A	N/A	N/A	\$14,641	\$18,495			
42 Current Penalty (with flexible compliance)	N/A	N/A	N/A	N/A	\$4	\$18,495			

RPS Compliance Report: Earmarking Detail

Input Required
Forecasted Data
Actual Data

Mountain Utilities
3-Mar-09

		Actual				Forecast		
Total Annual Earmarked Generation (MWh)		2005	2006	2007	2008	2009	2010	2011
	Contracted Generation	0	0	0	0	0	0	0
	Withdrawal from Current Year	0	0	0	0	0	0	0
	Allocated to Year - 1	N/A	N/A	N/A	0	0	0	0
	Allocated to Year - 2	N/A	N/A	N/A	N/A	0	0	0
	Allocated to Year - 3	N/A	N/A	N/A	N/A	N/A	0	0

Mountain Utilities powerplant	Contracted Generation				0.000	0.000	0.000	0.000
Eligible for [YEAR] deficit	Withdrawal from Current Year	0	0	0	0.000	0	0	0
	Allocated to Year - 1	N/A	N/A	N/A				
	Allocated to Year - 2	N/A	N/A	N/A	N/A			
	Allocated to Year - 3	N/A	N/A	N/A	N/A	N/A		
Contract Name	Contracted Generation							
Eligible for [YEAR] deficit	Withdrawal from Current Year	0	0	0	0	0	0	0
	Allocated to Year - 1	N/A	N/A	N/A				
	Allocated to Year - 2	N/A	N/A	N/A	N/A			
	Allocated to Year - 3	N/A	N/A	N/A	N/A	N/A		
Contract Name	Contracted Generation							
Eligible for [YEAR] deficit	Withdrawal from Current Year	0	0	0	0	0	0	0
	Allocated to Year - 1	N/A	N/A	N/A				
	Allocated to Year - 2	N/A	N/A	N/A	N/A			
	Allocated to Year - 3	N/A	N/A	N/A	N/A	N/A		
Contract Name	Contracted Generation							
Eligible for [YEAR] deficit	Withdrawal from Current Year	0	0	0	0	0	0	0
	Allocated to Year - 1	N/A	N/A	N/A				
	Allocated to Year - 2	N/A	N/A	N/A	N/A			
	Allocated to Year - 3	N/A	N/A	N/A	N/A	N/A		
Contract Name	Contracted Generation							
Eligible for [YEAR] deficit	Withdrawal from Current Year	0	0	0	0	0	0	0
	Allocated to Year - 1	N/A	N/A	N/A				
	Allocated to Year - 2	N/A	N/A	N/A	N/A			
	Allocated to Year - 3	N/A	N/A	N/A	N/A	N/A		
Contract Name	Contracted Generation							
Eligible for [YEAR] deficit	Withdrawal from Current Year	0	0	0	0	0	0	0
	Allocated to Year - 1	N/A	N/A	N/A				
	Allocated to Year - 2	N/A	N/A	N/A	N/A			
	Allocated to Year - 3	N/A	N/A	N/A	N/A	N/A		
Contract Name	Contracted Generation							
Eligible for [YEAR] deficit	Withdrawal from Current Year	0	0	0	0	0	0	0
	Allocated to Year - 1	N/A	N/A	N/A				
	Allocated to Year - 2	N/A	N/A	N/A	N/A			
	Allocated to Year - 3	N/A	N/A	N/A	N/A	N/A		
Contract Name	Contracted Generation							
Eligible for [YEAR] deficit	Withdrawal from Current Year	0	0	0	0	0	0	0
	Allocated to Year - 1	N/A	N/A	N/A				
	Allocated to Year - 2	N/A	N/A	N/A	N/A			
	Allocated to Year - 3	N/A	N/A	N/A	N/A	N/A		
Contract Name	Contracted Generation							
Eligible for [YEAR] deficit	Withdrawal from Current Year	0	0	0	0	0	0	0
	Allocated to Year - 1	N/A	N/A	N/A				
	Allocated to Year - 2	N/A	N/A	N/A	N/A			
	Allocated to Year - 3	N/A	N/A	N/A	N/A	N/A		
Contract Name	Contracted Generation							
Eligible for [YEAR] deficit	Withdrawal from Current Year	0	0	0	0	0	0	0
	Allocated to Year - 1	N/A	N/A	N/A				
	Allocated to Year - 2	N/A	N/A	N/A	N/A			
	Allocated to Year - 3	N/A	N/A	N/A	N/A	N/A		

RPS Compliance Report: Procurement Detail

	Input Required	Mountain Utilities
	Forecasted Data	3-Mar-09
	Actual Data	

	2003	2004	Actual MWh				Forecast MWh			
	2003	2004	2005	2006	2007	2008	2009	2010	2011	
Total RPS Eligible Procurement	0	0	0	0	0	0	0	1,589	1,589	
Existing and/or Signed Contracts	0	0	0	0	0	0	0	1,589	1,589	
Short-lead/Lower Negotiation/Pending Approval	0	0	0	0	0	0	0	0	0	
Generic Future Contracts	0	0	0	0	0	0	0	0	0	
Annual Contracting Quota Requirement	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
RPS Contracts: long-term and/or new facilities	N/A	N/A	N/A	N/A	0	0	1,589			
RPS Contracts: short-term with existing facilities	N/A	N/A	N/A	N/A	0	0	0			
Surplus Contracting Quota Bank as of Prior Year	N/A	N/A	N/A	N/A	0	0	0			
Current Year / Banked MWh Applied to Annual Quota	N/A	N/A	N/A	N/A	0	0	0			
Cumulative Surplus Contracting Quota Bank	N/A	N/A	N/A	N/A	0	0	1,589			
Minimum Annual Contracting Quota Shortfall	N/A	N/A	N/A	N/A	N/A	N/A	N/A			

RPS-Eligible Procurement By Resource Type	2003	2004	2005	2006	2007	2008	2009	2010	2011
Biomass	0	0	0	0	0	0	0	0	0
Digester Gas	0	0	0	0	0	0	0	0	0
Biodiesel	0	0	0	0	0	0	0	1,589	1,589
Landfill Gas	0	0	0	0	0	0	0	0	0
Mun Solid Waste	0	0	0	0	0	0	0	0	0
Biomass Contracting	0	0	0	0	0	0	0	1,589	1,589
Geothermal	0	0	0	0	0	0	0	0	0
Small Hydro	0	0	0	0	0	0	0	0	0
Conduit Hydro	0	0	0	0	0	0	0	0	0
Solar PV	0	0	0	0	0	0	0	0	0
Solar Thermal	0	0	0	0	0	0	0	0	0
Wind	0	0	0	0	0	0	0	0	0
Ocean/Tidal	0	0	0	0	0	0	0	0	0
Fuel Cells	0	0	0	0	0	0	0	0	0

Contract Detail	2003	2004	2005	2006	2007	2008	2009	2010	2011	Contract Status	Facility Status	Resource Type
Pre-2002 Contracts	0	0	0	0	0	0	0	0	0			
Biomass	0	0	0	0	0	0	0	0	0			Biomass
Digester Gas	0	0	0	0	0	0	0	0	0			Digester Gas
Biodiesel	0	0	0	0	0	0	0	0	0			Biodiesel
Landfill Gas	0	0	0	0	0	0	0	0	0			Landfill Gas
Mun Solid Waste	0	0	0	0	0	0	0	0	0			Mun Solid Waste
Geothermal	0	0	0	0	0	0	0	0	0			Geothermal
Small Hydro	0	0	0	0	0	0	0	0	0			Small Hydro
Conduit Hydro	0	0	0	0	0	0	0	0	0			Conduit Hydro
Solar PV	0	0	0	0	0	0	0	0	0			Solar PV
Solar Thermal	0	0	0	0	0	0	0	0	0			Solar Thermal
Wind	0	0	0	0	0	0	0	0	0			Wind
Ocean/Tidal	0	0	0	0	0	0	0	0	0			Ocean/Tidal
Fuel Cells	0	0	0	0	0	0	0	0	0			Fuel Cells
2002 Contracts	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			
2003 Contracts	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			
2004 Contracts	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			
2005 Contracts	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			
2006 Contracts	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			
2007 Contracts	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			
2008 Contracts	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			
2009 Contracts	0	0	0	0	0	0	0	1,589	1,589			
Mountain Utilities Powerplant	0	0	0	0	0	0	0	1,589	1,589	executed - no approval needed	under development - delayed	Biodiesel
Contract Name	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			
Generic Future Contracts	0	0	0	0	0	0	0	0	0	notes		
Generic Biomass	0	0	0	0	0	0	0	0	0			Biomass
Generic Digester Gas	0	0	0	0	0	0	0	0	0			Digester Gas
Generic Biodiesel	0	0	0	0	0	0	0	0	0			Biodiesel
Generic Landfill Gas	0	0	0	0	0	0	0	0	0			Landfill Gas
Generic Mun Solid Waste	0	0	0	0	0	0	0	0	0			Mun Solid Waste
Generic Geothermal	0	0	0	0	0	0	0	0	0			Geothermal
General Small Hydro	0	0	0	0	0	0	0	0	0			Small Hydro
General Conduit Hydro	0	0	0	0	0	0	0	0	0			Conduit Hydro
General Solar PV	0	0	0	0	0	0	0	0	0			Solar PV
General Solar Thermal	0	0	0	0	0	0	0	0	0			Solar Thermal
General Wind	0	0	0	0	0	0	0	0	0			Wind
General Ocean/Tidal	0	0	0	0	0	0	0	0	0			Ocean/Tidal
General Fuel Cells	0	0	0	0	0	0	0	0	0			Fuel Cells
Expired Contracts/ Contracts Expiring Before 2020	0	0	0	0	0	0	0	0	0	notes		
Contract Name	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			
Contract Name	0	0	0	0	0	0	0	0	0			

Minimum Contracting
Starting in 2007, RPS of calendar year, enter into short-term contracts with deliveries equivalent to 1 prior year's retail sales (be able to count energy contracts with existing RPS compliance purposes)

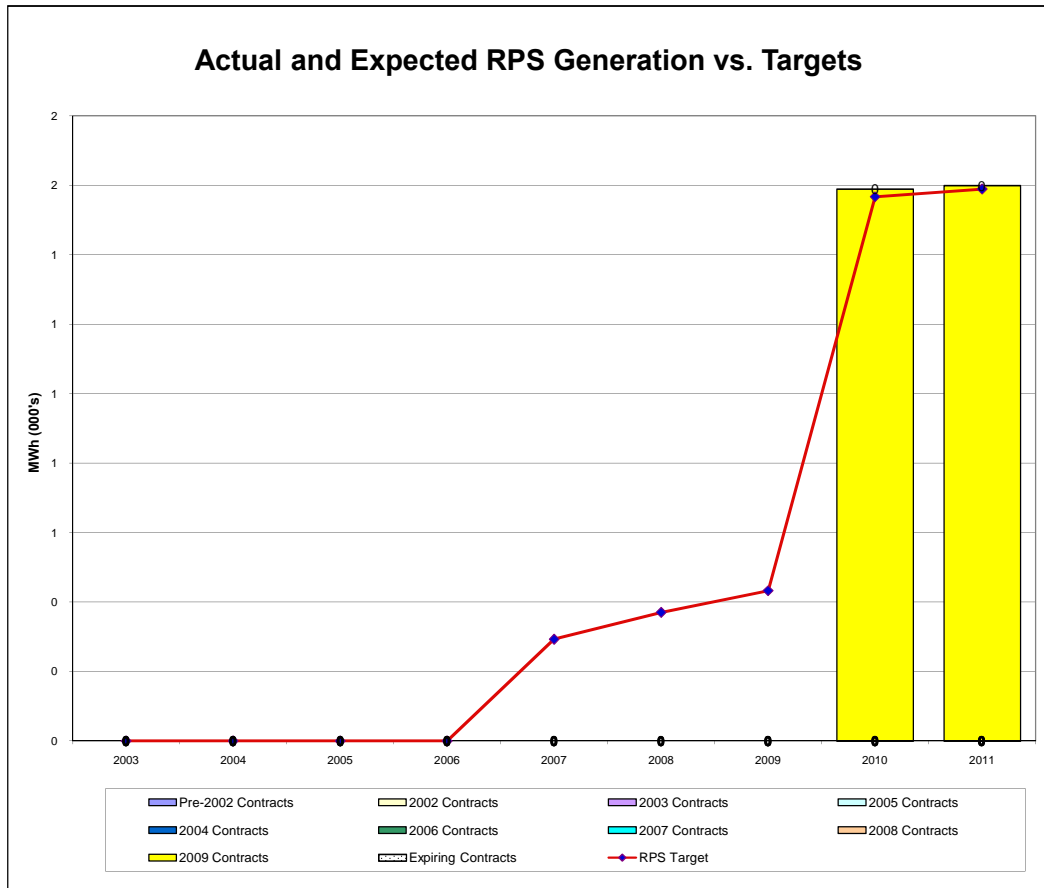
Contract Term Defaults
Long-term contract: At least 10 years
Short-term contract: Less than 10 years
New Facility: Commence or after January 1, 2005
Existing Facility: Commence prior to January 1, 2005

Contract Length / Type

RPS Compliance Report: Performance Chart

Mountain Utilities
3-Mar-09

RPS Procurement and Targets (MWh)	Actual MWh						Forecast MWh		
	2003	2004	2005	2006	2007	2008	2009	2010	2011
Total Retail Sales	8,387	6,967	6,781	7,140	7,708	6,253	7,833	7,944	7,996
Actual RPS Procurement %	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	20.3%	20.1%
IPT	N/A	84	70	68	71	77	63	1,134	22
APT % (Baseline for 2003)	N/A	N/A	N/A	N/A	4.1%	4.8%	6.9%	20.0%	20.0%
APT as MWh Amount	N/A	N/A	N/A	N/A	293	370	432	1,567	1,589
Preliminary Surplus/(Deficit)	N/A	N/A	N/A	N/A	(293)	(370)	(432)	22	10



RPS Compliance Report: Calculations

RPS Baseline Inputs (MWh)		
Line#	Calculation	Notes
1	User supplied data	Pursuant to D.07-03-046, the 2003 Initial Baseline Procurement Amount for the investor owned utilities (IOUs) is calculated using the following equation:
2	User supplied data	
3	User supplied data	
4	Baseline formula =	$\frac{\text{2001 RPS Eligible Procurement}}{\text{2001 Total Retail Sales}} \times \text{2003 Total Retail Sales} + \frac{\text{1\% of 2001 Total Retail Sales}}{\text{Retail Sales}}$

RPS Procurement and Targets (MWh)		
Line#	Calculation	Notes
5	User supplied data	Annual Retail Sales
6	Data from "Procurement Detail" tab	In current and past years, this line should equal Total RPS Eligible Procurement in procurement detail tab.
7	Prior year Line 7 + Line 8	
8	1% of line 5 (Y-1)	
9	Line 6 - Line 7	In 2003, 2003 RPS procurement is divided by 2001 retail sales rather than 2002 retail sales.
10	Line 7 / Line 5 (Y-1)	
11	Line 6 / Line 5 (Y-1)	
12	(Line 6 + Line 17 + Line 25 + Line 30 + Line 34 + Line 36) / Line 5 (Y-1)	RPS procurement percentage after applying flexible compliance, assuming all allowable planned deliveries come online as planned.

Flexible Compliance - IPT Deferral		
Line#	Calculation	Notes
13	Up to 0.25% of Prior Year Retail Sales	In 2007, 100% of the IPT can be deferred for up to 3 years without explanation.
14-16	User supplied data	Deferred IPT obligations due in current year.
17	Sum of Lines 14:16	
18-20	User supplied data	
21	Sum of Lines 18-20	Total deferred IPT obligations due in current year
22-24	User supplied data	Past year IPT obligations retired with current year surplus procurement. Per accounting rules D. 06-10-050, Attachment A, page 9-10, current year deliveries may only be applied to past year IPT deficits after earmarked deliveries have been subtracted, and after any deliveries needed to meet current year APT have also been subtracted (D.03-06-071), Conclusion of Law 25).
25	Sum of Lines 22-24	Total current year surplus applied to prior year IPT obligations due in current year

Flexible Compliance - Earmarking		
Line#	Calculation	Notes
26	Line 9 + Line 13 + Line 34	Portion of current year deficit greater than allowable IPT Deferral
27-29	Data from "Earmarking Detail" tab	User supplied data from "planned" column in respective year
30	Sum of Lines 27:29	
31-33	Data from "Earmarking Detail" tab	
34	Sum of Lines 31:33	Total current year surplus subtracted to meet prior years Earmarking obligations due in current year

Surplus Procurement Bank		
Line#	Calculation	Notes
35	Line 38 (Y-1)	Current year surplus procurement less any prior year IPT obligations and/or Earmarking obligations
36	User supplied data	
37	Line 9+ Line 25 + Line 34	
38	Sum of Lines 35:37	

Adjusted Deficit		
Line#	Calculation	Notes
39	Line 9 + balance of IPT obligations after 3 years + balance of Earmarking obligations after 3 years	In any current year, the adjusted annual procurement deficit is the LSE's annual deficit less any deliveries used to meet IPT or Earmarking obligations for prior years deficits. Any portion of adjusted annual procurement deficit that remains after the following three years is subject to penalty.
40	Balance of IPT obligations after 3 years + balance of Earmarking obligations after 3	In any current year, the adjusted deficit temporarily excused is the sum of IPT deferral and Earmarked deliveries (line 17+ line 30). Any portion of line 40 remaining after 3 years will be reflected in line 39 and subject to penalty.
41	Line 39 * \$50.0	Per accounting rules, LSEs must list penalty based the size of on adjusted annual procurement deficit, even if allowable reasons are being given for why the penalty is not yet due and payable. Penalties are assessed at \$0.05/kWh deficit.
42	(Line 39 + 40) * \$50.0	LSEs have the opportunity to make up annual procurement deficits through existing flexible compliance rules. Accordingly, if an LSE has a deficit in year 1, and is able to fully exercise flexible compliance mechanisms, the penalty for year 1 compliance may not apply.

OFFICER VERIFICATION FORM

I am an officer of the reporting corporation herein, and am authorized to make this verification on its behalf. The statements in the foregoing document are true of my own knowledge, except as to matters which are therein stated on information or belief, and as to those matters I believe them to be true. The spreadsheet format used to file this compliance report has not [has] been altered from the version issued or approved by Energy Division [, with the alterations described in this report].

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 27, 2009 at Fairfield, California.

(Date)

(Name of city)

A handwritten signature in cursive script that reads "John Dutcher".

John Dutcher, Vice President - Regulatory Affairs

(Signature and Title of Corporate Officer)

CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2009, I served a copy of Mountain Utilities' (U 906 E) Amended March 2009 RPS Compliance Report by email to the Service List of R.08-08-009 and by mailing a properly addressed copy with first-class postage prepaid to:

Administrative Law Judges Burton W. Mattson and Anne E. Simon and to the Director of the Energy Division of the California Public Utilities Commission.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated this 27th day of April, 2009, at Fairfield, California.

John Dutcher
Vice-President, Regulatory Affairs

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Mountain Utilities

Service List – R.08-08-009

April 27, 2009

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